

CAPONE AND KEEFE, PC
MARC C. CAPONE, ESQ.
60 HIGHWAY 71, UNIT 2
SPRING LAKE HEIGHTS, NJ 07762
732-528-1166
Attorney for Debtor(s)

In Re:

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NJ

Case No.: 16-25565 (KCF)
Chapter 13

Darryl Monticello

Debtor(s)

**CERTIFICATION IN RESPONSE TO THE
BANK OF NEW YORK'S APPLICATION
TO TERMINATE LOSS MITIGATION PERIOD**

I, Marc C. Capone, upon my oath according to law, hereby certify as follows:

1. I am the attorney for the Debtors in the above referenced matter and I make this Certification in response to the Bank of New York's Application to terminate Loss Mitigation Period.
2. The Debtor has indicated to our office that he can begin making monthly payments to Bank of New York.
3. The Debtor will have all of his documentation and the Loan Modification completed for submission within 10 days. My office will open the DMM portal to Bank of New York within that 10 day period.
4. Wherefore, the Debtor respectfully requests that the Application for Early Termination of the Loss Mitigation Period be denied

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 3/14/2017

By: /s/Marc C. Capone
MARC C. CAPONE